


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
v.	:	NO. 07-762-2
	:	
RICHARD BAEZ	:	

**ORDER**

AND NOW, this 27<sup>th</sup> day of September 2023, upon considering Defendant's Motion to lift the stay (ECF No. 140), Defendant's habeas Petition under 28 U.S.C. § 2255 (ECF No. 118), and for reasons in today's accompanying Memorandum, it is **ORDERED**:

1. Defendant's Motion to lift the stay (ECF No. 140) is **GRANTED**;
2. We **vacate** our March 12, 2021 Order (ECF No. 131);
3. Defendant's Petition (ECF No. 118) is **DENIED**;
4. We **DENY** a certificate of appealability;<sup>1</sup> and,
5. The Clerk of Court shall **close** this case.

  
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KEARNEY, J.

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<sup>1</sup> See 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).